

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

JEFFERY A. STALLWORTH

PLAINTIFF

VS.

CIVIL NO.: 3:16-cv-246-CWR-FKB

**GOVERNOR DEWEY PHILLIP “PHIL” BRYANT,
ET AL.**

DEFENDANTS

and

**TONY T. YARBER, Mayor of the City of Jackson,
Mississippi, on behalf of the Citizens of the City of
Jackson, et al.**

PLAINTIFFS

VS.

CIVIL NO.: 3:16-CV-246-CWR-FKB

**PHIL BRYANT, in his official capacity as governor of
the State of Mississippi, et al.**

DEFENDANTS

**PLAINTIFF’S REPLY IN SUPPORT OF RULE 56(D) MOTION TO DENY OR DEFER
RULING ON GOVERNOR PHIL BRYANT’S MOTION FOR PARTIAL SUMMARY
JUDGMENT AS TO THE COMPLAINT’S COUNTS V AND VI**

Plaintiff, the Jackson Municipal Airport Authority (“JMAA” or “Plaintiff”), submits this reply in support of its motion to deny or defer ruling on Defendant Governor Phil Bryant’s (“Governor”) Motion for Partial Summary Judgment as to Counts V and VI of the Complaint and to allow additional time to take discovery. The contemporaneously filed reply memorandum explains why the Governor’s oppositional response does not preclude this Court from granting JMAA’s motion. In addition to the reply memorandum, JMAA offers Mississippi Economic Impact of Airports Study, *attached as* Exhibit “A”, in support.

For the reasons explained in JMAA’s opening and closing memoranda, this Court should grant JMAA’s motion to deny or defer ruling on the Governor’s motion for summary judgment and allow JMAA more time to take discovery. If the Court is inclined to grant the additional

discovery requested in the Rule 56(d) motion, Plaintiff respectfully requests that it be allowed to file a supplemental response to the Governor's partial motion for summary judgment.

THIS the 10th day of April, 2018.

Respectfully submitted,

PHELPS DUNBAR LLP

BY: /s/ Fred L. Banks, Jr.
Fred L. Banks, Jr., Bar No. 1733
LaToya C. Merritt, Bar No. 100054
Nicholas F. Morisani, Bar No. 104970
Phelps Dunbar LLC
4270 I-55 North
Jackson, Mississippi 39211-6391
Post Office Box 16114
Jackson, Mississippi 39236-6114
Telephone: (601) 352-2300
Facsimile: (601) 360-9777
fred.banks@phelps.com
latoya.merritt@phelps.com
nick.morisani@phelps.com

John L. Walker, Bar No. 6883
Kevin B. Bass, Bar No. 103968
Walker Group, PC
1410 Livingston Lane, Suite A
Post Office Box 22849
Jackson, Mississippi 39225-2849
Telephone: (601) 948-4589
Facsimile: (601) 354-2507
jwalker@walkergrouppc.com
kbass@walkergrouppc.com

Attorneys for the JMAA

CERTIFICATE OF SERVICE

I, *Fred L. Banks, Jr.*, certify that the foregoing document has been filed with the Clerk of Court using the Court's ECF system, which provides service of the foregoing to all counsel of record who have entered an appearance in this case as of the date below.

Date: April 10, 2018.

/s/ Fred L. Banks, Jr.

Fred L. Banks, Jr.